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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,650	02/13/2004	Ma-Li Wang	63349.00002	5617

7590 10/04/2005

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EXAMINER

JOHNSON, JERROLD D

ART UNIT	PAPER NUMBER
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3728

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/777,650	WANG, MA-LI	
	Examiner	Art Unit	
	Jerrold Johnson	3728	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) 4,5,9,10 and 12-14 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-3,6-8,11,15 and 16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

The objection to the drawings is withdrawn as the corrected drawings submitted with the response dated 03 August 2005 are acceptable.

Claim Objections

Claim1 is objected to because of the following informalities: Line 7, "pair of" does not seem to serve any purpose and adds ambiguity to the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

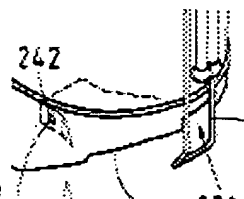
Claims 1-3,6-8,11,15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng 6,571,767 in view of Cheng US 6,564,937.

Cheng '767 discloses a golf bag sustained with leg means comprising a bag body; a base mounted at the bottom of the bag body and having a flat surface portion 22, an anchored portion, and an inclined plane portion; and a support piece detachably mounted at the bottom of the base. The inclined plane portion includes a first recess portion to receive the support piece. The support piece comprises a sheet and a pair of opposing first fastening portion 253 and second fastening portion 251 formed on the sheet, wherein the first fastening portion 253 is assembled with the leg means, and the

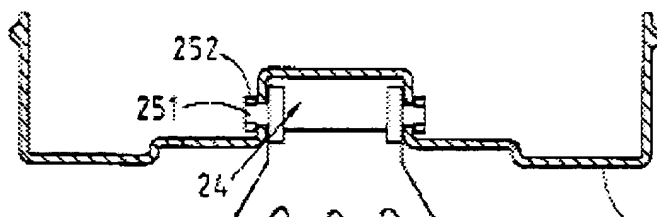
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second fastening portion 251 is coupled to the anchored portion, so as to support the golf bag up by means of the assembled leg means and support piece.

The evidence of the recess in the inclined plane portion is best seen in Figs. 9 -



11. Beginning with Fig. 10, note the dotted line extending from the anchored portion toward the front of the bag. This dotted line would not be shown were there not a surface for which the dotted line is representative. Fig. 9 discloses, rather conclusively, that the surface disclosed by the dotted line of Fig. 10 is the vertical surface separating a recess from the inclined plane portion of the base.



The height of the vertical surface corresponds to the thickness of the support piece. Additionally, the recess shown in Fig. 9 is of a width that corresponds to the width of the support piece, and the dotted lines in Fig. 10 are also of the same shape as to correspond to the support piece. This vertical surface is not shown in Fig. 11, as it would be covered by the support piece.

Cheng '767 does not disclose that an edge of the end of the sheet having the first fastening portion corresponds in position to a perimeter of a bottom of the base.

Cheng '937, as is best shown in Fig. 5 discloses this arrangement

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Accordingly, it would have been obvious to one of ordinary skill in the art to modify Cheng '767 with the teaching of Cheng '937 so as to provide a sheet which is protected from breakage by being disposed within the perimeter of the bottom of the base.

With respect to claim 2, the anchored portion is a parallelogram-shaped opening. Note that the recess within which the second fastening portion is defined by two pairs of opposing parallel edges.

With respect to claim 3, note that the anchored portion comprises symmetrical openings 241.

With respect to claim 7 see Fig. 11, which shows the second recess.

With respect to claim 8, note the thin sheet from which the sheet is manufactured. The thin sheet includes flanges (not numbered) on which fasteners 251 are disposed. The flanges would need to be deformed inwardly for the fasteners 251 to be retained within the opposing symmetrical openings. The material used in the sheet would deform under load within the elastic range to accommodate this assembly. Note column 2 line 24-32 which describes this assembly.

With respect to claim 11, note hollow portions (slots) in the sheet.

With respect to claim 15, note that the claim does not define "elastic material."

All materials, even brittle ones, will deform to some extent elastically under load.

Clearly, the support piece of Cheng will deform elastically under use.

With respect to claim 16, see the rejection of claim 1.


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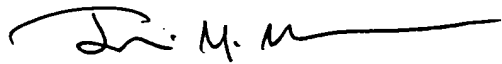
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerrold Johnson whose telephone number is 571-272-7141. The examiner can normally be reached on 9:30 to 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on 571-272-4562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jdj 


JILA M. MOHANDESI
PRIMARY EXAMINER